

ORIGINAL

CARRIE K.S. OKINAGA, 5958
Corporation Counsel

KENDRA K. KAWAI, 7779
MARIE MANUELE GAVIGAN, 5856
Deputy Corporation Counsel
530 S. King Street, Room 110
City and County of Honolulu
Honolulu, Hawai'i 96813
Telephone: 523-4116/527-5585
Facsimile: 523-4583
Email address: kkawai@honolulu.gov

Attorneys for Defendants
WILLIAM P. BADUA
JEFFREY OMAI and
SPENCER ANDERSON

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 21 2006

at 3 o'clock and 14 min. P M 89
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN,

Plaintiff,

VS.

WILLIAM P. BADUA;
JEFFREY OMAI;
SPENCER ANDERSON;
NEIL PANG;
and DOES 5-10,

Defendants.

) CIVIL NO. CV03-476 KSC
)
) DEFENDANTS
) WILLIAM P. BADUA,
) JEFFREY OMAI AND
) SPENCER ANDERSON'S FINAL
) COMPREHENSIVE WITNESS LIST
)
)
)
)
)
)
) TRIAL DATE: WEEK OF
) MARCH 14, 2006

DEFENDANTS WILLIAM P. BADUA, JEFFREY OMAI AND SPENCER
ANDERSON'S FINAL COMPREHENSIVE WITNESS LIST

Defendants WILLIAM P. BADUA, JEFFREY OMAI AND SPENCER ANDERSON (hereinafter collectively known as "Defendants"), by and through their undersigned attorneys, hereby submit their Final Comprehensive Witness List pursuant to the Third Amended Rule 16 Scheduling Order filed on September 9, 2005.

LAY WITNESSES

1. Officer William P. Badua.

Officer Badua is expected to testify as to Plaintiff Ofelia Coloyan's (hereinafter known as "Plaintiff") claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 3 hours.)¹

2. Officer Jeffrey Omai.

Officer Omai is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 2 hours.)

¹ The Defendants' time estimation for testimony is based upon Plaintiff not calling these witnesses in her case. In the event Plaintiff does call these witnesses, the time estimation will be adjusted accordingly. In addition, Defendants reserve the right to call any defense witnesses called to testify in Plaintiff's case in chief.

3. Officer Spencer Anderson.

Officer Anderson is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 2 hours.)

4. Officer Neil Pang.

Officer Pang is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 30 minutes.)

5. Officer Donald Stafford.

Officer Stafford is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 30-45 minutes.)

6. Officer Darren Nihei.

Officer Nihei is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 30-45 minutes.)

7. Officer Sharolyn Rodrigues-Wong.

Officer Rodrigues-Wong is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 15 minutes.)

8. Officer Detrich Kamakani.

Officer Kamakani is expected to testify as to Plaintiff's claims of liability and damages, including but not limited to, the events that led up to and occurred on the date of the incident. (Approximately 15 minutes.)

9. Sergeant Theodore Chun.

Sergeant Chun is expected to testify as the events that led up to and occurred on the date of the incident. (Approximately 45 minutes – 1 hour.)

10. Donald Meinel.

Mr. Meinel is the Chief Investigator for the Department of the Corporation Counsel. He is expected to testify as to the authenticity of the pictures and video taken during the inspection of Plaintiff's home in Ewa Beach. (Approximately 30 minutes.)

11. Plaintiff Ofelia Coloyan.

Plaintiff is expected to testify as to her claims of liability and damages, including but not limited to, the events that occurred on the date of the incident. (Approximately 2 hours.)

12. Steven M.C. Lum, M.D.

Dr. Lum is Plaintiff's treating physician and is expected to testify regarding damages, including but not limited to his diagnosis, care and treatment of Plaintiff. (Approximately 1 hour.)

13. Michael Kawahara, Esq. and/or Other Representative

Mr. Kawahara and/or Other Representative is/are expected to testify as to the existence and/or authenticity of the arrest warrant for Allan Coloyan.

(Approximately 15-30 minutes.)

14. Custodian of Records and/or Authorized Representative
Castle Medical Center

The Custodian of Records and/or Authorized Representative is/are expected to testify as to the authenticity of the records, reports, documents, and other tangible objects. (Approximately 15-30 minutes.)

15. Custodian of Records and/or Authorized Representative
The Wackenhut Corporation

The Custodian of Records and/or Authorized Representative is/are expected to testify as to the authenticity of the records, reports, documents, and other tangible objects, and as to the training subjects and materials covered during orientation during the applicable time period of Plaintiff's employment.

(Approximately 45 minutes-1 hour.)

16. Defendants reserve the right to call any and all individuals identified in any parties' initial disclosures, Final Pretrial Statement, other appropriate pleadings filed in this matter, in discovery responses provided by any party to this action and any other witnesses learned of through further discovery.

17. Defendants reserve the right to name and call rebuttal witnesses as necessary.

EXPERT WITNESSES

1. Byron A. Eliashof, M.D.


Dr. Eliashof is a psychiatrist who conducted an independent psychiatric examination of Plaintiff and is expected to testify regarding damages.

(Approximately 2 hours.)

2. Defendants reserve the right to call Plaintiff's identified expert, to testify regarding his review of the opinion of Dr. Eliashof.
3. Defendants reserve the right to call additional expert witnesses for purposes of impeachment and rebuttal.
4. Defendants reserve the right to call additional Custodians of Records for the purpose of authenticating documents, as necessary.
5. Defendants reserve the right to call any additional expert witnesses, which may have been identified by Plaintiff in these proceedings.

DATED: Honolulu, Hawaii, February 21, 2006.

CARRIE K.S. OKINAGA
Corporation Counsel

By 
KENDRA K. KAWAI
MARIE MANUELE GAVIGAN
Deputies Corporation Counsel

Attorneys for Defendants
WILLIAM P. BADUA
JEFFREY OMAI and
SPENCER ANDERSON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

OFELIA COLOYAN,)	CIVIL NO. 03-476 KSC
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
WILLIAM P. BADUA;)	
JEFFREY OMAI;)	
SPENCER ANDERSON;)	
NEIL PANG;)	
and DOES 5-10,)	
)	
Defendants.)	
)	
)	
)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the within was duly served by hand
delivery to the following individuals at their addresses shown below on

February 21, 2006:

JACK SCHWEIGERT, ESQ.
550 Halekauwila Street, Room 309
Honolulu, Hawaii 96813
and


ARTHUR E. ROSS, ESQ.
126 Queen Street, Suite 210
Honolulu, Hawaii 96813
and

RORY SOARES TOOMEY
1088 Bishop Street, Suite 1004
Honolulu, Hawaii 96813

Attorneys for Plaintiff
OFELIA COLOYAN

DATED: Honolulu, Hawai'i, February 21, 2006.

CARRIE K.S. OKINAGA
Corporation Counsel

By: 
KENDRA K. KAWAI
MARIE MANUELE GAVIGAN
Deputies Corporation Counsel

Attorney for Defendants